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7 Attorney for Marcus Mattingly

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARCUS MATTINGLY,

15 Defendant.

Case No. 2:21-cr-00230-APG-VCF

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede,
20 Assistant Federal Public Defender, counsel for Marcus Mattingly, that the sentencing hearing
21 currently scheduled for December 28, 2022, be vacated and continued to a date and time
22 convenient to the Court, but no sooner than forty-five (45) days.

23 This Stipulation is entered into for the following reasons:

24 1. Defense counsel for Mr. Mattingly will both be on holiday leave on the currently
25 scheduled sentencing hearing. Additionally, co-counsel (Ms. Lazo) is expected to be in trial
26 during the last week of January.

1 2. The requested continuance will also provide defense counsel additional time to
2 go over the presentence investigation report more thoroughly with Mr. Mattingly to ensure that
3 all his questions have been answered. The defendant is incarcerated and does not object to the
4 continuance.

5 3. Defendant is incarcerated and does not object to a continuance.

6 4. The parties agree to the continuance.

7 5. Additionally, denial of this request for continuance could result in a miscarriage
8 of justice. This is the first request to continue the sentencing hearing filed herein.

9 DATED this 14th day of November 2022.

10
11 RENE L. VALLADARES
12 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

13 By /s/ Aden Kebede

 By /s/ Melanee Smith

14 ADEN KEBEDE
15 Assistant Federal Public Defender

 MELANEE SMITH
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARCUS MATTINGLY,

7 Defendant.
8

Case No. 2:21-cr-00230-APG-VCF-1

ORDER

9 Based on the Stipulation of counsel and good cause appearing,

10 IT IS THEREFORE ORDERED that the Sentencing Hearing currently
11 scheduled on December 28, 2022, at the hour of 11:00 a.m., be vacated and continued to
12 February 22, 2023 at the hour of 9:30 a.m. in Courtroom 6C.
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14 DATED this 15th day of November, 2022.

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17 UNITED STATES DISTRICT JUDGE
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